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EXPRESS MAIL NO.: EL 501 759 391 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chung et al.

Serial No.: 10/069,586  
(National Stage Application of International  
Application No. PCT/US00/14482)

Art Unit: To be assigned

Filed: February 27, 2002

Examiner: To be assigned

For: OSTEONECTIN BASED TOXIN  
GENE THERAPY FOR THE  
TREATMENT OF CALCIFIED  
TUMORS AND TISSUES

Attorney Docket No.: 9426-023-999



INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.56 AND §1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to references AA - AL listed on the attached revised PTO 1449 Form. A copy of references AA - AL are submitted herewith.

Identification of the listed reference is not to be construed an admission of Applicants or Attorneys for Applicants that such reference is available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use Form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a revised Form PTO-1449 entitled "List of

References Cited" instead of "List of Prior Art Cited."

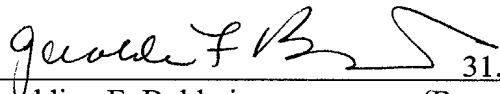
Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 CFR §1.97(b), since this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits, it is believed that no fee is due in connection herewith. However, should the Patent and Trademark Office determine otherwise, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date: April 18, 2003

By:

  
Geraldine F. Baldwin 31,232  
(Reg. No.)

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036  
(212) 790-9090

Enclosures

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Express Mail No.:

Sheet 1 of 1

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ATTY DOCKET NO.

426-023-999

APPLICATION NO

10/069,586

## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Chung et al.

FILING DATE

February 27, 2002

GROUP

TBA

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	5,416,017	5/16/95	Burton et al.			
AB	5,772,993	6/30/98	Chung et al.			

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO
AC WO 98/29138	7/9/98	PCT			

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

AD	Anderson et al., 1998, "Human gene therapy", Nature 392:25-30.
AE	Damjanovski et al., 1998, "Regulation of SPARC expression during early Xenopus development: Evolutionary divergence and conservation of DNA regulatory elements between amphibians and mammals", Dev. Genes Evol. 207:453-61.
AF	Gardner et al., 1998, "Exploiting stromal-epithelial interaction for model development and new strategies of gene therapy for prostate cancer and osteosarcoma metastases", Gene Therapy and Molec. Biology 2:41-57
AG	Hafner et al., 1994, "A Purine Rich Sequence in the Human BM-40 Gene Promoter Region is a Prerequisite for Maximum Transcriptoin", Matrix Biology 14:733-41.
AH	Jendraschak et al., 1998, "Isolation of human promoter regions by Alu repeat consensus based polymerase chain reaction", Genomics 50:53-60.
AI	Podhajcer et al., 1996, "Comparative expression of the SPARC and stromelysin-3 genes in mammary tumours", The Breast 5: 13-20.
AJ	Satyamoorthy et al., 1997, "Identification of an intronic enhancer that nullifies upstream repression of SPARC gene expression", Nucleic Acids Res. 25:3169-74.
AK	Verma et al., "Gene Therapy: promises, problems and prospects", Nature 389:239-242.
AL	Young et al., 1989, "Osteonectin Promoter: DNA Sequence Analysis and S1 Endonuclease Site Potentially Associated with Transcriptional Control In Bone Cells", J. of Biolog. Chem. 264:450-6.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.